



VACATION/TERMINATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name WESTERN STATES MINERAL CORPORATION

Mailing Address 250 SOUTH KOCH BLVD, SUITE 130, RENO, NV. 89501

State Permit No. ACT/015/002

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 91-32-6-1 dated DEC. 17, 19 91.

Cessation Order No. C _____ dated _____, 19 _____.

Part _____ of _____ is vacated terminated because The operator has constructed Main Feeder Pit and the Feeder Pit in accordance with the

Part _____ of _____ is vacated terminated because approval permit (see updated permit attached 1/10/95) Field work was completed 12/22/94 (per attached letter.)

Part _____ of _____ is vacated terminated because _____

CERTIFIED MAIL 074970160
Date of service/ mailing 2/7/95

Time of service/ mailing 12:30 a.m. p.m.

F.M. GERICK
Permittee/Operator representative

Title

MAILED FROM DOGMA OFFICES
Signature

Title

HENRY SHUER
Division of Oil, Gas & Mining

REC. SPEC.
Title

Tom Munson
Signature



UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS



SENDER INSTRUCTIONS

- Print your name, address and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN TO



Print Sender's name, address, and ZIP Code in the space below.

DIVISION OF OIL GAS & MINING
 355 WEST NORTH PEOPLES
 3 TRIAD CENTER STE 350
 SALT LAKE CITY UT 84180

Print your name, address and ZIP Code in the space below. Complete items 1, 2, 3, and 4 on the reverse. Attach to front of article if space permits, otherwise affix to back of article. Endorse article "Return Receipt Requested" adjacent to number.

BB DOGM 2/7/95 ACT/015/002 N91-32-6-1 FLD 5

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. (Extra charge)	2. <input type="checkbox"/> Restricted Delivery (Extra charge)
3. Article Addressed to: WESTERN STATES MINERALS EM GARRICK 250 SOUTH ROCK BLVD STE 130 RENO NV 89502	4. Article Number P 074 976 160
5. Signature - Address X	Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Return Receipt for Merchandise
6. Signature - Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery FEB - 9 1995	

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

BB DOGM 2/7/95 ACT/015/002 N91-32-6-1 FLD 5

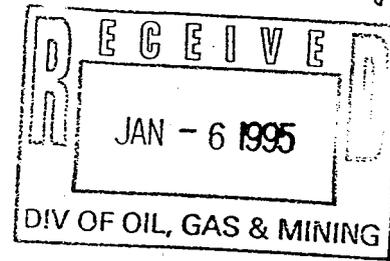
P 074 976 160

OFFICIAL BUSINESS MAIL
 NO RETURN NECESSARY UNLESS INDICATED
 REGISTERED MAIL

WESTERN STATES MINERALS	
SENT TO EM GARRICK	
250 SOUTH ROCK BLVD STE 130	
RENO NV 89502	
P.O. State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Registered Fee	
Insurance Fee	
Return Receipt Fee	
Other Fees	
Total	275



5861 JUN 1988 PS Form 3811



Certified Mail
Return Receipt Requested

January 2, 1995

Mr. Lowell Braxton, Associate Director-Mining
State of Utah
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Copy [unclear] [unclear]
cc'd to copy
Daron
PAM

#2 cts

Re: J.B. King Mine, ACT/015/002, Folder #2, Emery County, Utah -Progress Report - Field Abatement of NOV's #91-32-6-1 & #93-25-3-1 was completed on December 22, 1994.

Dear Lowell:

As you are probably aware, field abatement of NOV's #91-32-6-1 & #93-25-3-1 began November 21, 1994 and was completed December 22, 1994. In addition, a *Permit Amendment* to the J.B. King Reclamation Plan was mailed to your office on November 28, 1994, care of, Ms. Pamela Grubaugh-Littig.

However, to date I have not had any written response as to the completeness or acceptability of that submittal. Once our surveyor has completed transcribing his notes and drafting the results of those surveys, I'll send you as-built drawings of the completed fieldwork. Hopefully, I'll have these to you by the end of January or sooner.

An invoice for the work completed on the Test Plot will be submitted to your office sometime around mid-January, once I have a thorough accounting of all costs associated with the project. I am planning a site visit to the project on January 10, 1995, to review all completed work, and would like to invite you and any of your staff to join me.

Please let me know if you need any additional information to terminate NOV's #91-32-6-1 & #93-25-3-1.

Sincerely,

E.M. (Buzz) Gerick
Vice President, Operations

CC: D. Haddock, DOGM
J. Helfrich, DOGM



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

October 3, 1994

E. M. Gerick, Vice President of Operations
Western States Minerals Corporation
250 South Rock Boulevard, Suite 130
Reno, Nevada 89502

Re: Finalization of Reclamation Plan Review, Western States Minerals Corporation, J. B. King Mine, ACT/015/002, Folder #3, Emery County, Utah

Dear Mr. Gerick:

The Division has completed a review of your revised reclamation plans for the J. B. King Mine site. Your plans are considered adequate to allow the proposed construction to proceed with the following conditions.

1. That the sides of the refuse pile be covered with a minimum of 4 feet of suitable cover material.
2. That an effective measure be implemented to control erosion of the refuse pile slopes.
3. That analysis of the excavated channel material as well as the sewage sludge be provided in order to determine their suitability for use as cover material.
4. Upon decommissioning, the old channel areas must be softened to blend in with the existing surroundings and provide areas beneficial to plant growth. Disturbance to existing vegetation should be avoided.
5. Construction of the main channel must, at a minimum, meet the criteria of a 100 year-6 hour storm. Excavation must be evaluated in the field to insure that coal or other detrimental materials, unearthed during construction, are adequately handled and that channel slopes will remain stable per the criteria outlined in the approved PAP.
6. Within 30 days, your NOV abatement and accepted reclamation plans must be formatted for insertion to the overall J.B. King Reclamation Plan in order to bring it up to date. Eight (8) copies will need to be submitted.

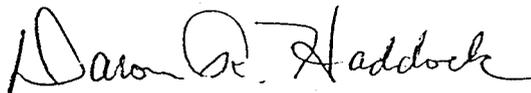
We encourage you to proceed with the construction activities as quickly as possible.

Page 2
ACT/015/002
September 30, 1994

While your plans are adequate to allow construction at the site to proceed, there are still a number of problems with your proposed methods to determine a revegetation and erosional standard for the minesite. As discussed on the phone, the Division is willing to facilitate a meeting between our technical staffs to work out an acceptable solution to this problem. It is agreed that at the conclusion of this meeting, criteria for evaluating revegetation and erosion at the J. B. King minesite will be established. A facilitator may be utilized if necessary. It is also understood that if an acceptable method cannot be agreed upon, Western States Minerals Corporation may request a hearing before the Board pursuant to R645-300-200. The meeting should be scheduled within the next 30 days. Please call to make arrangements.

We appreciate your help during the permitting process. Please call if you have any questions.

Sincerely,



Daron R. Haddock
Permit Supervisor

cc: L. Braxton
P. Grubaugh-Littig
T. Munson
H. Sauer
S. White
BUZZLETT.JBK



State of Utah
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801-538-5319 (TDD)

November 2, 1994

E. M. Gerick
Vice President of Operations
Western States Minerals Corporation
250 South Rock Boulevard, Suite 130
Reno, Nevada 89502

Re: Second Request for Time Extension on Notice of Violations N91-32-6-1, N93-25-3-1 and N93-25-5-1, Western States Minerals Corp., J. B. King Mine, ACT/015/002, Folder #3, Emery County, Utah

Bury
Dear Mr. Gerick:

The Division has reconsidered your request for extending the abatement periods on Notice of Violations ("NOV") N91-32-6-1, N93-25-3-1 and N93-25-5-1. This last NOV has been terminated and the Division is sending notice of this action under separate cover. While we understand your concerns about having adequate and mutually agreeable plans in place for abatement of N91-32-6-1 and N93-25-3-1, we do not feel that further delays are acceptable or that extending the time will provide any clearer picture of what needs to be accomplished on the ground. Our October 3, 1994, letter authorized you to proceed with field work. You have indicated that it is unclear which of the numerous past proposals is the one that the Division has authorized. For the sake of clarification, the Division hereby authorizes you to follow and use your February 1994, Appendix to Permit plus the modifications and supplemental information provided through October 26, 1994, with the following corrections:

- 1) The proposed "toe ditch" should not be constructed.
- 2) That during the construction of the main channel and feeder ditch, WSMC provide for the least amount of lateral disturbance while yet providing for the passage of the required design storm. This can be achieved through the use of side slopes greater than 2h:1v. However, any areas of the channel excavation where the side slopes appear unstable in the field will be laid back to a maximum of 2h:1v to achieve a minimum flow design cross-section. The decision to construct greater than 2h:1v side slopes will be determined based on visual observation during construction and verified through "as-builts" after construction.
- 3) That vegetative standards will remain as specified in the currently approved plan.

Page 2

E. M. Gerick

ACT/015/002

November 2, 1994

- 4) That an average of four feet of cover be maintained on the side slopes of the refuse pile.

The Division feels that you now have final approved plans for NOV abatement. Granted, they may not be readily insertable into your overall reclamation plan, but we feel they are acceptable for construction purposes and getting them incorporated can be accomplished later. Particularly since "as-built" designs will be required.

Again, we want to stress the importance of getting the NOVs abated.

We encourage you to proceed with the abatement of the NOVs as expeditiously as possible. In order to accommodate the tight time frame which you now have, we will consent to extend the abatement period to November 30, 1994. The Division will review the mining and reclamation plan in early December 1994, to determine if the updates to the MRP required for NOV abatement have been submitted. A field inspection will also be conducted in early December to determine your compliance with the abatement requirements.

Please call if you have any questions.

Sincerely,



Lowell P. Braxton
Associate Director, Mining

vb

cc: D. Haddock
J. Helfrich
H. Sauer
T. Munson

PROCEED.JBK